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RESPONSE UNDER 37 CFR 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 2831

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Atty. Docket

MAREIKE KLEE ET AL.

PHD 99,046

Serial No. 09/541,765

Art Unit: 2831

Filed: April 3, 2000

Examiner: E. THOMAS

Title: VOLTAGE-DEPENDENT THIN FILM CAPACITOR

Commissioner for Patents  
Washington, D.C. 20231

RULE 116 AMENDMENT

Sir:

In response to the Final Office Action dated November 10, 2002, Applicants would like to make the following remarks under the provisions of 37 C.F.R.116:

REMARKS

The rejection of Claims 1-12 under 35 U.S.C. 103(a) as unpatentable over Malone et al. is considered to lack merit.

The Malone et al. patent is not considered to teach, or even suggest, the ceramic passive component defined by even Claim 1, the most generic claim.

Unlike the ceramic passive component defined by Claim 1, the ceramic passive component of the Malone et al. patent is not

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